

**IN THE CLAIMS:**

Please cancel claims 2, 3, 4, 10, 11, 13 and 14 without prejudice.

Please amend/replace claims 1, 5-9 and 12 as follows:

Claim 1. (presently amended) A battery, comprising:

a battery housing defining a receiving area, said housing being configured to receive and engage a plurality of cells each having a cell housing;  
a cell element being received and engaged within each of said cell housings, said cell element comprising a plurality of positive plates each having a positive tab portion depending outwardly from a periphery, wherein said positive tab portions are positioned adjacent to each other, a plurality of negative plates each having a negative tab portion depending outwardly from a periphery, wherein said negative tab portions are positioned adjacent to each other, and a nonconductive separator disposed in between said plurality of positive plates and said plurality of negative plates;

a positive plate being secured to each of said positive tab portions of said cell element, said positive plate including a positive post;

a negative plate being secured to each of said negative tab portions of said cell element, said negative plate including a negative post, wherein said cell housings are disposed in said battery housing such that each of said positive posts and said negative posts are positioned to protrude in the same direction; and

an inner cover being configured to be received within said battery housing and cover said positive and negative plates, said inner cover having a plurality of retaining walls each defining a plurality of receiving areas for receiving a portion of one of said positive posts passing through an opening in said inner cover and an adjacent negative post passing through another opening in said inner cover; and

a plurality of lead inserts being disposed in said plurality of receiving areas, said plurality of lead inserts being configured to allow a tip portion of said portion of one of said positive posts to pass through and a tip portion of said portion of one of said negative posts to pass through, wherein said tip portions are welded to said plurality of lead inserts after they are positioned in said plurality of receiving areas

**BEST AVAILABLE COPY**

being configured to allow a portion of said positive and said negative posts to pass therethrough.

Claim 2. (presently cancelled)

Claim 3. (presently cancelled)

Claim 4. (presently cancelled)

Claim 5. (presently amended) The battery as in claim 1, wherein said opening and said another opening of said plurality of receiving areas includes an O-ring being configured to be received and engaged in portion of by said positive post and said negative post as they pass through said opening and said another opening openings.

Claim 6. (presently amended) The battery as in claim 2, wherein said plurality of lead inserts electrically connect adjacent cells connects a positive post of a first cell element to a negative post of an adjacent cell element.

Claim 7. (presently amended) The battery as in claim 6, wherein each of said plurality of cells are cell elements is connected in series to an adjacent cell element.

Claim 8. (presently amended) The battery as in claim 7, wherein each cell housing has an outer configuration being configured to be received within a complementary receiving area defined in said battery housing.

Claim 9. (presently amended) An outer housing for a cell element of the battery, A battery and battery cell assembly comprising a battery housing and a plurality of outer housings each comprising a battery cell, each outer housing being configured to be received within the battery housing, each outer housing comprising:

an internal receiving area defined by a pair of opposing walls, a pair of sidewalls disposed between said pair of opposing sidewalls and a bottom and a partially open end portion disposed opposite to said bottom, wherein a positive post of the battery cell is arranged on one side of said partially open end portion and a negative post of the battery cell is arranged on another side of said partially open end portion, said outer housing defining a lower end portion, an upper portion and a transitional portion, said transitional portion being disposed between said lower end

**BEST AVAILABLE COPY**

portion and said upper portion, said lower end portion and said transitional portion  
outer housing defining an outer configuration for being received and engaged in a  
complementary configuration of a the battery housing, wherein said complementary  
configuration of the battery housing is configured in an alternating arrangement such  
that each outer housing can only be received within the battery housing wherein said  
positive post and said negative post of each battery cell are arranged such that each  
positive post is adjacent to a negative post of an adjacent battery cell.

Claim 10. (presently cancelled)

Claim 11. (presently cancelled)

Claim 12. (presently amended) A method for assembling a battery having a plurality  
of cells disposed in a battery housing, comprising:

inserting a plurality of cells into the battery housing each cell having a  
cell housing and a positive post and a negative post protruding from the same side of  
the cell, into a the battery housing having an internal configuration for receiving and  
engaging a complementary external configuration of said cell housings, wherein said  
internal configuration of the battery housing results in each cell being disposed in an  
alternating fashion such that each positive post of each cell is adjacent to a negative  
post of another cell;

positioning a cover over said plurality of cells wherein each positive  
post of each cell is received within a receiving area defined by a plurality of walls and  
said negative post of said another cell is also received with said receiving area; and

electrically connecting each of said plurality of cells in series by  
providing a plurality of lead inserts for each receiving area and welding said lead  
insert to each positive post of each cell and said negative post of said another cell  
making contact with a positive post and a negative post of said plurality of cells.

Claim 13. (presently cancelled)

Claim 14. (presently cancelled)

Please add new claims 15-22 as follows:

Claim 15. (new) The method as in claim 12, further comprising:

**BEST AVAILABLE COPY**

securing a positive terminal of the battery to a positive post of one of said plurality of cells; and securing a negative terminal of the battery to a negative post of another one of said plurality of cells.

Claim 16. (new) The method as in claim 15, wherein said plurality of cells are arranged adjacent to each other from a first end to a second end, wherein said positive terminal is positioned at said first end and said negative terminal is positioned at said second end.

Claim 17. (new) A battery, comprising:

a battery housing defining a receiving area, said housing being configured to receive and engage a plurality of cells each having a cell housing, each cell comprising a plurality of positive plates secured to a positive post, a plurality of negative plates secured to a negative post and a nonconductive separator disposed between each positive plate and each negative plate, said positive post and said negative post protruding from the same side of said cell housing, wherein said receiving area and said cell housings are configured to arrange said plurality of cells in an alternating fashion wherein each positive post of each cell is adjacent to a negative post of another cell when said plurality of cells are disposed within said receiving area;

an internal cover disposed over said plurality of cells, said internal cover being disposed within said receiving area after said plurality of cells are disposed therein, said internal cover having a plurality of predefined receiving areas on an upper surface for receiving a positive post of one of said plurality of cells and a negative post of an adjacent cell; and

a plurality of lead inserts configured to be inserted within said plurality of receiving areas, said plurality of lead inserts electrically connecting one of said plurality of cells to another one of said plurality of cells.

Claim 18. (new) The battery as in claim 17, further comprising an O-ring disposed between a lower surface of said internal cover and said positive post and said negative post of said plurality of cells.

**BEST AVAILABLE COPY**

Claim 19. (new) The battery as in claim 17, wherein a lower surface of said internal cover is configured to engage said cell housings.

Claim 20. (new) The battery as in claim 17, wherein a lower surface of said internal cover is configured to engage said battery housing.

Claim 21. (new) The battery as in claim 17, wherein a positive terminal of the battery is secured to a positive post of one of said plurality of cells and a negative terminal of the battery is secured to a negative post of another one of said plurality of cells.

Claim 22. (new) The battery as in claim 21, wherein said plurality of cells are arranged adjacent to each other from a first end to a second end, wherein said positive terminal is positioned at said first end and said negative terminal is positioned at said second end.